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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/618,271	07/10/2003	Tatsuya Ishitobi	16869S-085200US	4844
20350	7590	02/17/2006	EXAMINER	
TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			GOMA, TAWFIK A	
			ART UNIT	PAPER NUMBER
			2653	

DATE MAILED: 02/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/618,271	Applicant(s) ISHITOBI ET AL.	
	Examiner Tawfik Goma	Art Unit 2653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Drawings

Figures 4-7 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Frank (US Patent 6208602).

Regarding claim 1, Frank discloses a method of authenticating disk management information of a disk to certify validity of management information recorded on the disk (col. 8 lines 27-29), comprising the step of: recording authentication information on the disk on which the management information is recorded (col. 8 lines 37-38), the authentication information confirming validity of the management information (col. 8 lines 39-43).

Regarding claim 2, Frank discloses a method of authenticating disk management information of a disk to certify validity of management information recorded on the disk (col. 8 lines 27-29), comprising the steps of: recording authentication information on the disk on which the management information is recorded (col. 8 lines 27-29), thereby certifying that the management information is valid (col. 8 lines 43-47); and recording invalidating information on the disk on which the management information and the authentication information are recorded (col. 8 lines 47-51), thereby invalidating certifying effect of the authentication information (col. 8 lines 47-51).

Regarding claim 3, Frank further discloses recording, during stopping processing of a disk device in which the disk is loaded (col. 7 lines 18-23), authentication information on the disk if validity of the management information is confirmed (col. 8 lines 27-29 and lines 37-38); and recording invalidating information, before data recording processing (col. 8 lines 39-43), in response to a data recording request first received after the disk device is started (col. 8 lines 39-43).

Regarding claim 4, Frank further discloses the steps of: sequentially and additionally recording authentication information and invalidating information in one

Art Unit: 2653

area on the disk (col. 7 lines 14-44 and col. 8 lines 27-66); regarding the management information on the disk as valid if invalidating information is absent after authentication information last recorded on the disk (col. 8 lines 43-38); and regarding the management information on the disk as invalid if invalidating information is present after authentication information last recorded on the disk (col. 8 lines 47-51).

Regarding claim 5, Frank further discloses recording authentication information and invalidating information in a power calibration area on the disk (col. 7 lines 28-31); and using, as invalidating information, a power calibration pattern recorded in the power calibration area. It is well known that rewritable disks contain a PCA area located on the inner circumference of the lead-in area and since the status information is recorded on the inner circumference of the lead-in area it reads on claimed PCA area.

Regarding claim 6, Frank discloses means for recording authentication information to certify validity of management information on a disk and invalidating information to invalidate certifying effect of the authentication information (col. 8 lines 27-65) on the disk on which the management information is recorded; and means for determining whether or not the management information on the disk is valid by confirming the authentication information and the invalidating information on the disk (col. 8 lines 27-29).

Art Unit: 2653

Regarding claim 7, Frank further discloses the authentication information is recorded, in stopping processing of the disk device (col. 7 lines 18-23), if validity of the management information is confirmed (col. 8 lines 27-29 and 37-38); and the invalidating information is recorded, before data recording processing, in response to a data recording request first received after the disk device is started (col. 8 lines 39-44).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Sako (US 2003/0117920) discloses an apparatus and method for validating digital watermarking information.


Contact Information


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tawfik Goma whose telephone number is (571) 272-4206. The examiner can normally be reached on 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on (571) 272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2653

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


T. Goma
2/9/2006


WILLIAM KORZUCH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2653